

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DIRECTV, INC.,)	CASE NO. 8:04CV28
Plaintiff,)	ORDER ADOPTING REPORT AND RECOMMENDATION
vs.)	
NICHOLAS IZZO,)	
Defendant.)	

This matter is before the Court on the Report and Recommendation of Magistrate Judge F.A. Gossett (Filing No. 36), to which no objection has been filed. Despite the absence of objection and based on the potentially dispositive effect of adoption, I have conducted a *de novo* review of the matter pursuant to 28 U.S.C. § 636(b)(1) and NECivR 72.3. Upon such review, I find that Magistrate Judge Gossett has fully, carefully, and correctly found the facts and applied the law. I conclude that the Report and Recommendation should be adopted, and the Plaintiff's Motion for Sanctions should be granted. Accordingly,

IT IS ORDERED:

- 1) The Report and Recommendation (Filing No. 36) is adopted in its entirety; and
- 2) The Plaintiff's Motion for Sanctions (Filing No. 33) is granted as follows:
 - a. Defendant's Answer shall be stricken;
 - b. The Clerk of the Court is directed to make an entry of default by the Defendant; and
 - c. Plaintiff is granted leave of the Court to file a motion for default judgment consistent with the rules of the Court on or before Friday, May 20, 2005.

Dated this 5th day of May, 2005.

BY THE COURT

s/Laurie Smith Camp
Laurie Smith Camp
United States District Judge